

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

NELSON BRITO,

Plaintiff,

v.

R. K. WOODS, et at.,

Defendants.

Civil Action No.
9:06-CV-00154
(FJS/DEP)

APPEARANCES:

OF COUNSEL:

FOR PLAINTIFF:

Nelson Brito, Pro Se
03-B-1309
Wende Correctional Facility
Wende Road
P.O. Box 1187
Alden, New York 14004

FOR DEFENDANTS:

HON. ANDREW M. CUOMO
Attorney General of
the State of New York
The Capitol
Albany, New York 12224

AARON M. BALDWIN, ESQ.
Assistant Attorney General

FREDERICK J. SCULLIN, JR., S.J.:

ORDER

After carefully considering the entire file in this matter, including Magistrate Judge

Peebles' July 13, 2009 Report and Recommendation to which the parties have not filed any objections; the Court hereby

ORDERS that Magistrate Judge Peebles' July 13, 2009 Report and Recommendation is **ADOPTED IN ITS ENTIRETY** for the reasons stated therein; and the Court further

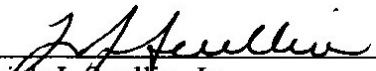
ORDERS that Defendants' motion for summary judgment is **GRANTED**, and the Court further

ORDERS that Plaintiff's complaint is **DISMISSED** as against all remaining defendants; and the Court further

ORDERS that the Clerk of the Court shall enter judgment in favor of Defendants and close this case.

IT IS SO ORDERED.

DATED: August 6, 2009
Syracuse, New York



Frederick J. Scullin, Jr.
Senior United States District Court Judge